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July 3, 2007

BY HAND DELIVERY

The Honorable William H. Pauley
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Application granted.
SO ORDERED:

William H. Pauley III
WILLIAM H. PAULEY III U.S.D.J.

7/12/07

Re: Roy Young v. City of New York, et al.
07 CV 5453 (WHP)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to the defense of the above referenced matter. I write to respectfully request an enlargement of time from the present day until September 4, 2007 to answer or otherwise respond to plaintiff's complaint on behalf of defendant City of New York. Plaintiff's counsel, Steven Hoffner, Esq., consents to this request.

In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need time to investigate the allegations of the complaint. Plaintiff alleges that, on or about May 24, 2006, at approximately 5:30 p.m., while driving in Manhattan, his vehicle was "followed" by police officers. Plaintiff maintains that he double-parked his car, and exited the vehicle to show the police officers his license, registration and insurance papers. After plaintiff returned to his vehicle, he was approached by the officers who threatened to issue him a ticket. Plaintiff also alleges that the defendant police officers "proceeded to rip plaintiff out of his car" and assaulted him. As a result, plaintiff maintains he was falsely arrested and maliciously prosecuted. Accordingly, it is necessary for defendant City of New York to acquire as much information as possible concerning this matter in order to properly assess the case and respond to the complaint. To that end, this office is in the process of forwarding to plaintiff for execution a N.Y.C.P.L. §160.50 release so that we can access his sealed records from the underlying prosecution, including the criminal court file, the District Attorney's file, as well as our own police records. Additionally, to the extent plaintiff is claiming physical injuries, a HIPAA compliant medical release has also been forwarded to plaintiff so that we can access his medical records.

Accordingly, defendant City of New York respectfully requests that its time to respond to the complaint be extended until September 4, 2007. Thank you for your consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jessica T. Cohen', with a stylized flourish at the end.

Jessica T. Cohen (JC 0044)
Assistant Corporation Counsel

cc: Steven Hoffner, Esq.
Attorney for Plaintiff
350 Broadway, Suite 1105
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